

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1, 5, 7, 8, 10-14, 18, 20-24 are allowed.

### ***Examiner's Amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with William Daley on 1/4/2010. The examiner's amendment is necessitated to further clarify the claimed invention.
4. Claims 1, 8, and 14 have been amended below.
5. Claims 2, 4, 15, and 17 have been cancelled.

1. (Currently Amended) A method for distributing content sent by a content distributor to a user location, the method comprising:

receiving a command from the content distributor to store the content at the user location before a user specifically requests the content, wherein the user location comprises a set top box, wherein the content comprises a subset of a plurality of linearly scheduled programs, each of the plurality of linearly scheduled programs available from

Art Unit: 2191

the content distributor on a plurality of different distribution channels with staggered start times, wherein the subset is associated with a premium subscription service, and wherein the content comprises at least one of a video program or an audio program, and wherein the content further comprises at least one of a commercial, an infomercial, a show, or a movie;

processing the command sent from a remote location with respect to the user location;

receiving the content at the user location on at least one of the plurality of distribution channels;

storing a segment of the content at the user location in response to at least the processing the command, wherein a length of the segment is based on a time between a start time of the content on a first distribution channel and a start time of the content on a second distribution channel; and

detecting a user action related to the content after storage of the content.

8. (Currently Amended) A method for distributing content sent by a content distributor to a user location, the method comprising:

determining a subset of content from a plurality of linearly available programs, each of the plurality of linearly available programs available from the content distributor on a plurality of different distribution channels with staggered start times, wherein the subset of content is associated with a premium subscription service and comprises at least one of a video program and an audio program, wherein the content further

Art Unit: 2191

comprises at least one of a commercial, an infomercial, a show, or a movie, and wherein the user location comprises a set top box;

commanding the user location to store a segment of the subset of content from the content distributor without a user associated with the user location specifically requesting the subset of content, wherein:

a length of the segment of the subset of the content is based on a time between a start time of the subset of the content on a first distribution channel and a start time of the subset of the content on a second distribution channel;

the subset of content is stored proximate to the user location, and

the content distributor is remotely-located from the user location; and

sending the subset of content to the user location for storage before a user specifically requests the subset of content

14. (Currently Amended) A machine-readable medium having stored thereon a series of instructions which, when executed by a processor, causes the processor to distribute content sent by a content distributor to a user location by:

receiving a command from the content distributor to store the content at the user location before a user specifically requests the content, wherein the user location comprises a set top box, wherein the content comprises a subset of a plurality of linearly scheduled programs, each of the plurality of linearly scheduled programs available from the content distributor on a plurality of different distribution channels with staggered start times, wherein the subset is associated with a premium subscription service, and

Art Unit: 2191

wherein the content comprises at least one of a video program or an audio program,  
and wherein the content further comprises at least one of a commercial, an infomercial,  
a show, or a movie;

processing the command sent from a remote location with respect to the  
user location;

receiving the content at the user location on at least one of the plurality of  
distribution channels;

storing a segment of the content at the user location in response to at least the  
processing the command, wherein a length of the segment is based on a time between  
a start time of the content on a first distribution channel and a start time of the content  
on a second distribution channel; and

detecting a user request for the content after storage of the content.

### ***Examiner's Statement of Reasons for Allowance***

6. The following is an examiner's statement of reasons for allowance:

7. Aristides et al. (US 5,657,072) and Kenner et al. (US 6,181,867) taken alone or in combination fail to teach or reasonably suggest "*storing a segment of the content at the user location in response to at least the processing the command before the user specifically requests the content, wherein a length of the segment is based on a time between a start time of the content on a first distribution channel and a start time of the content on a second distribution channel*" in combination with other claimed subject matters as recited in the independent claims 1, 8 and 14.

Art Unit: 2191

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Correspondence Information***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip H. Nguyen whose telephone number is (571) 270-1070. The examiner can normally be reached on Monday - Thursday 10:00 AM - 3:00 PM EST.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 09/687,157

Page 7

Art Unit: 2191

PN

1/8/2010.

/Wei Y Zhen/

Supervisory Patent Examiner, Art Unit 2191